

Message Text

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15

ACTION EB-11

INFO OCT-01 EA-11 ADP-00 AGR-20 CIAE-00 INR-10 LAB-06

NSAE-00 RSC-01 STR-08 TRSE-00 CIEP-02 OMB-01 TAR-02

L-03 RSR-01 /077 W

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R 180651 Z MAY 73

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC 7001

USDOC WASHDC

LIMITED OFFICIAL USE HONG KONG 4935

E. O. 11652: N/ A

TAGS: ETRD, MC

SUBJ: TEXTILES: INTERPRETATION OF MACAU MMF AGREEMENT

SUMMARY: MACAU FIRM HAS RECEIVED US ORDER FOR KNIT GARMENT
MADE OF 55 PERCENT LINEN -- 45 PERCENT ACRYLIC BLEND. ACTION
REQUESTED: PLEASE ADVISE IF SUCH GARMENT WOULD BE SUBJECT
TO QUOTA. END SUMMARY.

1. GOM OFFICIALS HAVE REQUESTED OPINION ON ORDER RECEIVED
BY LOCAL FIRM. US BUYER HAS ORDERED KNIT GARMENTS MADE OF
LINEN- ACRYLIC BLEND, CLAIMING THEY WOULD BE EXEMPT FROM QUOTA
OWING TO THEIR CHIEF- WEIGHT BEING OF LINEN, WHICH IS NOT
SUBJECT TO QUOTA.

2. WHILE THIS WOULD BE SO UNDER THE US- HK AGREEMENT, THE
LANGUAGE OF THE US- MACAU AGREEMENT (PARA 9) APPEARS TO DEFINE
ALL TEXTILE PRODUCTS CONTAINING MMF AS MMF PRODUCTS, UNLESS
THEY CAN BE DEFINED AS COTTON OR WOOL. THIS INTERPRETATION,
HOWEVER, PLACES MACAU AT A DISADVANTAGE VIS- A- VIS PARTIES TO
OTHER RESTRAINT AGREEMENTS IN FAR EAST WHICH ENJOY MORE LIBERAL
DEFINITION CLAUSES AND WHICH WOULD BE ABLE TO EXECUTE THE
CONTRACT IN QUESTION WITHOUT REFERENCE TO QUOTA. IN THIS
INSTANCE, THE FIRM RECEIVING THE ORDER IS A SUBSIDIARY OF A
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HONG KONG KNITTING FIRM. THE PRACTICAL EFFECT OF OUR INSISTING
THAT THE CONTRACT COME UNDER QUOTA IN MACAU WOULD BE TO SHIFT
ITS PLACE OF PRODUCTION TO HONG KONG. UNLESS THERE IS A
BROADER ISSUE AT STAKE, WE SEE LITTLE REASON FOR DISCRIMINATING
AGAINST MACAU ON THIS POINT.
OSBORN

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 18 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: willialc
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973HONGK04935
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: HONG KONG
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730548/aaaajkvs.tel
Line Count: 69
Locator: TEXT ON-LINE
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: willialc
Review Comment: n/a
Review Content Flags:
Review Date: 09 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09-Aug-2001 by boyleja>; APPROVED <27-Aug-2001 by willialc>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 980220
Subject: TEXTILES: INTERPRETATION OF MACAU MMF AGREEMENT
TAGS: ETRD, MC
To: EB
SECSTATE WASHDC
WASHDC
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005